

There is something in store for you in every advertisement in the East Oregonian. Don't fail to read every line.

WEATHER FORECAST.

Showers tonight and Saturday.

VOL. 19.

PENDLETON, OREGON, FRIDAY, MAY 11, 1906.

NO. 5665

FAVORABLE TO INJUNCTIONS

Senate Refuses to Agree That They Should Not Be Used to Defeat the Rate Law.

TWO AMENDMENTS BY ALLISON WERE PASSED.

Both in the interests of the Conservatives—One States That No Time Shall Be Stated in Which Commission's Orders Shall Go Into Force—Imprisonment Penalty Favored by the Senate for All Beneficiaries of Rebates Given by the Railroads—Aimed at Personnel of the Illegal Trusts.

Washington, May 11.—Senator Bailey's amendment to the rate bill, to entirely prohibit the issuance of preliminary injunctions to suspend the operation of the interstate commerce commission's orders, was defeated.

The first allison amendment striking out the words "fairly remunerative" from the description of rates ordered by the commission was adopted without debate.

The second allison amendment providing the commission's orders shall become effective within a "reasonable time," instead of "thirty days," and continue not more than two years, was adopted.

Would Punish the Beneficiary.

Washington, May 11.—The senate last night completed its consideration of the second section of the railroad rate bill and just before adjournment listened to the reading of sections 3 and 4, preparatory to the introduction of the allison amendments, which will take place today. A number of very important changes were made in the second section, including a provision restoring the imprisonment penalty of the act of 1887 and an amendment suggested by McCumber, imposing a penalty of fine and imprisonment for a shipper who secures rebates.

The latter amendment was incorporated for the avowed purpose of hitting trusts. There was a continuous debate throughout the day and no little complaint that the senators showed a disposition to consume more than the 15 minute limit. Tillman stated privately that if these practices continue he will make an effort tomorrow to have the speeches limited to five minutes.

Epidemic of Amendments.

Washington, May 11.—Tillman's amendment giving the commission authority to make through joint rates where the transportation is partly by water, was rejected, and the lodge amendment giving the same authority "when one of the connecting carriers is a water line," was adopted.

YESTERDAY'S BASEBALL.

Scores of All League Games Played on the Coast.

Los Angeles, May 11.—Los Angeles 7, Fresno 6.
Portland, May 11.—Portland 11, San Francisco 6.
Seattle, May 11.—Seattle 6, Oakland 5.
Tacoma, May 11.—Spokane 6, Tacoma 3.

HOUSE WANTS INFORMATION.

American Fishing Boats Seized by Mexicans.

Washington, May 11.—The house adopted a resolution asking the state department for information concerning the seizure of fishing boats by Mexicans and imprisonment of their crews.

Immense Meteor Fell.

Salinas, Cal., May 11.—Residents of the Corral Tierra country in the Santa Lucia mountains, report that a large meteor fell shortly after dark yesterday. The heavens were lit as if it were day. Coming after the electrical storm, the meteor caused intense excitement.

Shot Wife and Then Himself.

Philadelphia, May 11.—J. L. Yarnall, aged 80, today probably fatally shot his wife, aged 72, and then killed himself. Motive unknown.

Joint Coal Conference.

Springfield, Ill., May 11.—The bituminous miners' and operators' joint convention will be held here next Thursday.

Of 31 precincts in Linn county, 12 are now "dry," while the remaining precincts will take a local option vote in June, voting collectively, or as a district.

DERELICT RAFT BROKEN UP.

Was Lost by the Leggett Off California Coast.

San Francisco, May 11.—The schooner Eva, arriving at Eureka today, reports sighting a number of logs believed to be part of the big raft lost by the steamer Leggett off the northern coast. The raft was a menace to navigation, and the Leggett has been searching for it for a week past. It is now probably broken up and the danger removed.

WILL BE ELECTROCUTED.

Ohio Doctor Who Murdered His Parents and Brother.

Dayton, O., May 11.—Dr. Oliver C. Haugh's motion for a new trial was overruled, and he was sentenced to be electrocuted on August 29. He was convicted of the murder of his parents and brother.

SEED DEALERS PROTEST.

Government Asked to Only Distribute New Varieties.

Washington, May 11.—Seed dealers from the principal cities were given a hearing today by Secretary Wilson. He was asked not to distribute common garden seeds, but only new varieties.

NEGROES WOULD LYNCH NEGRO

Beat His Wife—Was Barely Rescued by a Policeman.

Philadelphia, May 11.—William White, a negro, was saved from a negro mob intent on lynching him, by a policeman. White beat his wife. A rope was already tied about his neck.

COUNCIL OF EMPIRE MEETS.

Witte Appointed to Membership By the Emperor.

St. Petersburg, May 11.—The council of the empire held its first session this afternoon. Solovay, president, spoke. An imperial ukase appoints Witte a member of the council of the empire.

WHEAT FAILURE IS THREATENED

THE OPINION OF WELL KNOWN STOCK BUYERS.

No Rain for Forty-Six Days in the Yakima Valley, While Horse Heaven Is Equally Dry—No Moisture Left Around the Roots of the Wheat Plant—Not Enough Rain in Eastern Washington This Spring to Appreciably Benefit Wheat.

James Wright, the well known stockman, returned Tuesday from a trip to eastern Washington and Oregon, says the Yakima Republic.

He went to the region of the Snake river north of Walla Walla to look after a large band of sheep that he has been feeding there during the winter, and before returning made quite an extensive tour. He loaded five cars of sheep and sent them through this way to Seattle and will have 25 cars more on the way before the week is over.

"If the weather conditions do not alter soon," said Mr. Wright to the Republic this morning, "there will be a failure of the wheat crop in both eastern Washington and Oregon this season. I never saw the wheat look so badly as it does now. It is almost dried out. There has not been any rain for many weeks in that part of the two states and everything is suffering from drought."

"While walking along over a wheat field one day I pulled up a bunch of growing wheat. The roots were several inches long and the soil that clung to them was as dry as powder. There does not appear to be the least bit of moisture. Unless rain comes in a very short time the wheat will be killed. This condition, I am told, exists in the Horse Heaven wheat country."

Mr. Wright's statement is corroborated by other Yakima people who have been through the wheat districts this spring. The rainfall has been light in all parts of eastern Washington since the first of the year. For the past 46 days not a drop of water has fallen in the Yakima valley. The last rain was on March 30 and 31, when the precipitation was 54-100 of an inch. Slight rains have fallen since then in eastern Washington, but not enough to benefit the wheat. No rain has fallen in that time in the Horse Heaven country.

DIED IN A BARBER CHAIR.

Indications Are That Business Man Succeeded.

New York, May 11.—Hjalmar Westerteldt, aged 36, manager of the Greenbay Paper & Fibre company of Brockvar, Wis., died in a barber chair in a hotel. It was thought he had a fit. An ambulance was summoned but he was dead before a physician arrived. Poisons were found in a pocket. An autopsy will be held.

SAYS STANDARD TRIED TO BRIBE

Statement by a Man Who Holds Letters Containing Secrets of the Company.

PRESIDENT 'FRISCO ROAD HAS DAMAGING EVIDENCE.

Directors Paper Trust Pay Fines Imposed for Refusing to Answer Questions During an Examination—Twenty-One Western Paper Mills Are Co-defendants—Paper Trust Will Reorganize to Avoid Appearance of Evil—Chancellor Day in a Serious Condition Resulting From Roosevelt's Position.

Victory for Government.

Washington, May 11.—Attorney General Moody said the action of the paper trust in St. Paul ends the litigation in a complete victory for the government. It is stated that since the suit was instituted the price of paper to consumers has been reduced 30 per cent.

Chicago, May 11.—M. Maxon, cross-examined in the oil hearing, said he had 1500 letters revealing the Standard's secrets. The Standard tried to buy them. He admitted notifying the Standard he was subpoenaed by Garfield.

President Davidson, of the 'Frisco road, promised the commission a list of contracts with tank lines and a list of passes given.

Joseph Tucker, of the Central Freight association, was accused of "forgetfulness" and advised to answer later in the day.

H. C. Huckill, a Pennsylvania road purchasing agent, said Standard lubricating oil was bought exclusively by that road.

Proceedings Against Paper Trust.

St. Paul, May 11.—Three Minnesota directors of the paper trust paid \$100 fines each in the federal court and withdrew the answer filed in the government suit to have the General Paper company declared a trust. They will reorganize to avoid conflict with the Sherman anti-trust law.

The fines were sustained in the federal supreme court and assessed on account of the refusal of the directors to answer questions during the proceedings. Twenty-one paper mills in the middle west are co-defendants.

Chancellor Day Feels Badly.

Syracuse, May 11.—Chancellor Day of the State university, replying to criticisms, declares:

"The president's invasion into the judiciary realm is alarming. It is scarcely across the border of possible impeachment, and is rebuked, as its merits demand. It is anarchy. He has no right to attack the name of any private commercial business in any form."

Iowa After Standard Oil.

Des Moines, May 11.—Attorney General Fulton is preparing to begin prosecution of the Standard Oil company under the new anti-discrimination law. The penalty is fine and imprisonment. Reports show the price of oil in the state varies as between localities equidistant from shipping points.

CHICAGO WHEAT MARKET.

Quotations From the Greatest Wheat Center in the World.

Chicago, May 11.—Wheat closed at \$3.4, corn at 49 and oats at 22.

Schurz Is Improving.

New York, May 11.—Carl Schurz's condition is somewhat improved, and he is in no immediate danger.

THE LAW IS PLAIN, BUT MAY BE EVADED

Within the past few weeks County Superintendent Welles has received letters from a number of school clerks of the county asking if their districts could not retain more than \$50 of the common school fund money in their possession when the fiscal year closes on the third Monday in June. Under the law each school district is charged at that time with all common school fund money it may have over \$50. The amount is then deducted from the payment made the district at the next apportionment.

This year many of the districts have more money on hand than usual because of the extra large apportionment made this spring and the special apportionment that was made in

368 CONCERNS HAVE RESUMED

This Number Doing Business in Temporary Frames in the Burned District.

TROUBLE FINDING SITE FOR THE NEW CHINATOWN.

Two Million Dollar Corporation Formed, Will Engage in Building and Restoring Operations of Every Character, and on Every Scale—Clearing Houses Will Open Sooner Than Expected, and Confidence Is Unimpaired—Records of the Firemen's Fund Insurance Company Were Destroyed.

Another Shock at 'Frisco.

San Francisco, May 11.—The earth gave a severe twist at 1:30 this afternoon, which lasted about three seconds. Aside from the falling of a few weak walls it did no damage. The motion was from east to west.

San Francisco, May 11.—A careful canvass by the Daily News shows that 368 concerns are re-established and doing business in temporary frame structures in the burned district.

To engage in building operations on a large scale, a \$2,000,000—the Loss-Leonard-Deneen—corporation has been formed with Los Angeles, New York and San Francisco capital. The corporation will take contracts for buildings of every character.

The announcement that all clearing houses will open May 21, nine days before expected, is further evidence of confidence in financial circles. There is every indication that San Francisco will have all the money she needs to carry on business.

Insurance Records Destroyed.

San Francisco, May 11.—The Fireman's Fund Insurance company has discovered that the vault containing all the records of its insurance business in San Francisco has been destroyed. The falling of an immense steel girder which broke off a corner of the vault, gave the fire easy access to the records, including all policies, maps, etc. President Dutton has made a statement saying that steps have been taken by the company to meet the new conditions created by the destruction of the fire.

A new company, to be known as the Fireman's Fund Insurance Corporation, is to be formed as soon as legal holidays cease and incorporation can be effected. The new corporation will have \$1,000,000 capital and \$1,000,000 surplus, thus insuring, according to President Dutton, complete ability to meet every outstanding obligation, as the \$1,000,000 capital and the \$1,000,000 surplus are in addition to the assets of the old company, included in the new corporation and estimated at \$8,000,000.

Trouble Locating Chinatown.

San Francisco, May 11.—The committee on permanent location for Chinatown reported this morning the Six Companies and Chinese property holders refuse to accept Hunter's Point as a permanent location. The location now chosen by the committee and to be submitted to the Chinese, is bounded by Sansome, Front, Pacific and the bay.

Chairman Phelan of the finance committee, stated that the amount of money now on hand is \$2,855,000.

No Reconciliation Made.

Paris, May 11.—Count Boni Castellane and wife failed in attempt at reconciliation in court today. The wife refused all overtures. Divorce papers will be filed now.

DIVORCE FROM BLAINE.

Mrs. James G. Blaine, Jr., Goes to Dakota Divorce Court.

Washington, May 11.—Mrs. James G. Blaine, who, before her marriage some years ago was Miss Martha Hichborn, daughter of Rear Admiral and Mrs. Hichborn, will leave Washington at the end of the present week for Sioux Falls, S. D. It is understood she intends to be absent several months.

Among Mrs. Blaine's more intimate friends the announcement of her contemplated residence in South Dakota does not come as a surprise.

As Martha Hichborn she was one of the acknowledged beauties of the official set.

Her marriage to Mr. Blaine was rather unexpected, as her engagement to another well known Washingtonian recently married, had been generally accepted.

Soon after her marriage Mr. Blaine engaged in stock speculation in New York. For more than a year past, however, Mrs. Blaine has spent most of the time with her parents in Washington, while her husband has been engaged in business pursuits in New York.

EIGHT-HOUR DAY AT \$2.25.

Walla Walla Council Fixes Wages of Employees on City Contracts.

Walla Walla, May 11.—At an executive session of the council yesterday afternoon, held after the regular meeting, S. D. Goodell was awarded the privilege of boarding the ditch men employed on the pipe line. Mr. Goodell also has the contract for boarding the men that will be employed by the National Wood Pipe company, in building the pipe line. The wages of men employed on excavating was fixed at \$2.25 a day for eight hours work and ditch foremen at \$3 a day.

A number of inspectors, timekeepers and bookkeepers are to be employed by the Warren Construction company under the direction of the council. These appointments will probably be made within a day or so.

THREE HOUSES WERE STRUCK

LIGHTNING'S FREAKS AT ATHENA YESTERDAY.

It Played Peculiar Tricks, Damaging Property and Shaking Some of the People, Though No One Was Much Injured—Lightning Came From a Lone Black Cloud, Over the Town, and Accompanying Thunder Was Terrible.

During one of the most severe thunder storms that ever visited Umatilla county, about 3 o'clock yesterday evening, three houses were shocked by lightning in Athena, and numerous freaks were performed in the occurrence.

The homes of O. W. B. Zerba, A. J. Willaby and S. Dudley were struck by lightning, the Zerba home taking fire and being damaged to the extent of \$300 before the fire was put out by the volunteer fire department.

In the Willaby home the lightning performed some curious freaks. It stripped the paper from the walls of two or three rooms, but carefully avoided the room in which the family sat. The Dudley home had the shingles stripped from one side, but otherwise was unharmed.

The storm came up suddenly about 3 o'clock. The horizon all around was clear and the black cloud seemed to have directly over the city. It was accompanied by the loudest thunder ever heard in that part of the county and was a very severe electrical storm.

The Zerba house was struck in the gable, the lightning following the flue into the dining room, from where it passed into the kitchen, striking both Mr. and Mrs. Zerba, knocking them down and temporarily stunning them, after which it ran down a porch post into the ground at the rear of the house. Neither Mr. nor Mrs. Zerba were injured beyond a temporary shock and although a physician was called for Mrs. Zerba, she is entirely recovered today.

It is said the paper on the walls of two or three rooms in the Willaby house was torn off in strips, the lightning evidently following the walls around and going out at the doors leading from room to room. However, it failed to enter the room in which the family sat while watching the storm.

It is declared by those who heard the thunder that it is the loudest and most terrifying ever heard in Umatilla county.

\$5000 RETAINER TO HILL.

Equitable Life Paid Him for Emergency Services.

New York, May 11.—David B. Hill explained his connection with the Equitable Life to the State Bar association today. The testimony was that he was given \$5000 annual retainer.

ALL ALLOTMENTS MAY BE CANCELLED

Department of Agriculture Has No Authority to Make Forestry Regulations.

SWEEPING DECISION BY FEDERAL JUDGE WHITSON.

Government Loses Case Against C. A. Maxwell, for Illegally Ranging Stock in Mt. Rainier Forest Reserve—Judge Whitson Says a Department Cannot Usurp the Law-Making Functions of Congress—Case Will Be Appealed and in the Event It Is Sustained by Supreme Court All Range Allotments May Be Cancelled.

What promises to be a sweeping nullification of all the work of the forestry department of the United States government in allotting range in the forest reserves has just been inaugurated by Federal Judge Whitson of North Yakima, who yesterday decided that the department of agriculture cannot make regulations preventing stockmen from ranging their stock at will in forest reserves.

The decision of Judge Whitson was handed down in the case of the government against C. A. Maxwell of North Yakima, who was accused of illegally ranging stock in the Mt. Rainier forest reserve and whose case has just been tried in North Yakima. J. H. Snively, attorney for Maxwell, demurred to the allegations of the government on the ground that a government department has no authority to make laws and that therefore the laws made for the regulation of the forest reserves by the department are null and void.

The contention of Maxwell was that the secretary of agriculture being a part of the executive and not the legislative branch of the government, had no right to make any laws whatever, and that only by congress can valid laws for the regulation of forest reserves be passed. Judge Whitson sustained the demurrer which was based upon upon these grounds, and thus the entire work of the forestry department in allotting range and making regulations for the management of the reserves may be set aside.

The case will be carried to the supreme court by the government and if the decision of Judge Whitson is sustained there, the range allotments in the Wenaha, Blue Mountains and other reserves will be cancelled and all stock will be at liberty to range at will in the reserves until such time as congress passes laws prescribing the methods of range allotment.

Umatilla county stockmen are deeply interested in the outcome of the decision as it affects their interests in both the Wenaha and the Blue Mountains reserves, and it may be that the reserves will be opened to the public without charge this season, if congress does not pass laws regulating the reserves before it adjourns.

Owing to the pressing importance of the case it will be brought to issue immediately in the United States supreme court, and an early decision is expected.

EARTHQUAKE IN INDIANA.

People Left Their Beds in Fright Last Night.

Petersburg, Ind., May 11.—Two earthquake shocks were felt here at 1 this morning. Buildings shook and people jumped from their beds.

Bertha Krupp Engaged.

Berlin, May 11.—Bertha Krupp, the world's wealthiest woman, is engaged. Her fiancé's name is kept secret. It is thought to be either a prince or a poor physician.

Saddle Cost \$500.

R. S. Settemyere was in the city the first of the week getting supplies preparatory to going to his ranch near Dog Mountain, where he contemplates some extensive improvements. He had just received his new \$500 saddle from Winnemucca, but the writer did not have an opportunity to see it. Bob has a hobby for fine saddles.—Burns Times-Herald.

Ordered Pendleton Iron.

E. W. Severance, of the Severance-Broughton company, of Walla Walla, was in the city yesterday to place an order for structural iron with the Pendleton Iron works. The Pendleton Iron works receives many orders for outside work as well as doing all the work for this county.

Will Leave Alberta.

Mr. and Mrs. W. R. Frey will leave in the morning for Alberta, where they will spend several weeks before going to the coast for the summer.

The Yakima city council a few days ago appropriated \$3200 for betterments for the city's system of fighting fire.